

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARK W. DOBRONSKI

Plaintiff,

Case No. _____

v.

Judge _____

AMERICAN INSURANCE BROKERS,
LLC and DOUGLAS CHARLES MASSI

Defendants.

Noah S. Hurwitz (P74063)
NACHTLAW, P.C.
Attorney for Defendants American
Insurance Brokers LLC and
Douglas Charles Massi
101 North Main St., Suite 555
Ann Arbor MI 48104
Telephone: (734) 663-7550
nhurwitz@nachtlaw.com

Mark W. Dobronski
Plaintiff In Propria Persona
P.O. Box 85547
Westland MI 48185-0547
Telephone: (734) 641-2300
markdobronski@yahoo.com

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§1331, 1332, 1441, and 1446, Defendants American Insurance Brokers LLC (“AIB”) and Douglas Charles Massi (“Defendant Massi”), by and through his attorneys, hereby removes the above-captioned action, which was originally filed in the Circuit Court for the County of Washtenaw in the State of Michigan and assigned Case No. 20-000643-NZ before the Circuit Court Judge Carol Kuhnke, to the United States District Court for the Eastern District of

Michigan, Southern Division, by the filing of this Notice of Removal with the Clerk of the United States District Court for the Eastern District of Michigan. As grounds for removal, Defendants AIB and Massi state the following:

1. On or about July 8, 2020, Plaintiff Mark W. Dobronski (“Plaintiff”) filed an action in the Circuit Court for the County of Washtenaw, State of Michigan, entitled *Mark W. Dobronski v. American Insurance Brokers LLC; Carlos Ayban Bastardo; United Final Expense Services, Inc.; and Douglas Charles Massi*, Case No. 20-000643-NZ (the “State Court Action”), assigned to Judge Carol Kuhnke.

2. On or about July 10, 2020, Defendants AIB and Massi were served with or otherwise received a copy of the Summons and Complaint by in-person service in the State of Florida. A true and correct copy of Plaintiff’s Complaint is attached hereto as **Exhibit 1**. Defendants AIB and Massi have not yet filed an answer in the State Court Action, as the period for Defendants AIB and Massi to answer or otherwise respond has not yet expired. There are no other pleadings or orders that have been served. A true and correct copy of the State Court Register of Actions docket sheet is attached hereto as **Exhibit 2**.

3. Pursuant to 28 U.S.C. §1446(a), a complete copy of all process and pleadings served on Defendants AIB and Massi in the State Court Action can be found in **Exhibit 1**.

4. Pursuant to 28 U.S.C. §1446(b), this Notice of Removal is timely because it has been filed within 30 days after Defendants AIB and Massi received the Summons and Complaint.

5. Defendants AIB and Massi sought consent for removal from Defendants Carlos Ayban Bastardo and United Final Expense Services, Inc., but Defendants Bastardo and United Final Expense Services, Inc. stated that they had not been served with the lawsuit pending in the Washtenaw County Circuit Court.

6. This Court is in the district and division “embracing the place where [the State Court] action is pending.” 28 U.S.C. §1441(a). The Washtenaw County Circuit Court is in the Southern Division of the Eastern District of Michigan. *See* 28 U.S.C. §102(a)(1).

FEDERAL QUESTION JURISDICTION EXISTS

7. This action is removable to this Court under 28 U.S.C. §1441(a), because it is a civil action over which this Court has original jurisdiction under 28 U.S.C. §1331.

8. The Complaint alleges that Defendants engaged in activity prohibited by the Telephone Consumer Protection Act of 1991 (the “TCPA”), 47 U.S.C. §227, et seq. See Exhibit 1, Compl. Plaintiff purports that he received four telephone calls from Defendants in violation of the TCPA on April 21, 2020. See Compl. ¶¶50-81.

9. This case is a civil action over which this Court has original federal question jurisdiction pursuant to 28 U.S.C. §1331 because Plaintiff's Complaint purports to assert federal causes of action against Defendants arising out of the laws of the United States, here, the TCPA. See Exhibit 1, Compl.

10. As a result, this Court has original jurisdiction over this civil action pursuant to 28 U.S.C. §1331, because Plaintiff's Complaint is founded on claims or rights arising under the laws of the United States, and removal is appropriate under 28 U.S.C. §1441.

11. As required by 28 U.S.C. §1446(d), a copy of this Notice of Removal is being promptly served upon Plaintiff *In Propria Persona* via electronic mail at Markdobronski@yahoo.com and U.S. Mail at P.O. Box 85547, Westland, Michigan 48185. Defendants AIB and Massi shall also promptly file a copy of this Notice of Removal electronically with the Court's electronic filing system of the Washtenaw County Circuit Court.

Respectfully submitted,

NACHTLAW, P.C.

/s/ Noah S. Hurwitz
Noah S. Hurwitz (P74063)
Attorney for Defendant
Douglas Charles Massi

Dated: August 5, 2020

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically with the Court's electronic filing system. Notice of this filing will be sent by the Court's electronic filing system to all parties of record.

/s/ Denise Klocinski
Denise Klocinski, Litigation
Assistant

Dated: August 5, 2020